

26. (Three times amended) A [pharmaceutical] composition comprising <sup>an</sup> ~~soluble~~ H4-1BB of claim 24 in admixture with a suitable diluent, carrier, or excipient.

27. (Amended) A soluble H4-1BB protein produced by  
a) introducing an expression vector into an appropriate host cell to yield a transfected host cell, wherein the expression vector comprises a DNA molecule encoding the extracellular domain of H4-1BB having SEQ ID NO:2 or a [portion thereof] fragment of the extracellular domain;  
b) recovering the protein from the host cell.

28. (Amended) The soluble H4-1BB protein of claim 27 wherein the DNA molecule specifically hybridizes to SEQ ID NO:3, SEQ ID NO:4, SEQ ID NO:5, SEQ ID NO:6, SEQ ID NO:7, SEQ ID NO:8, or a combination thereof.

30. (Amended) The soluble H4-1BB protein of claim 24 wherein the DNA molecule specifically hybridizes to SEQ ID NO:3, SEQ ID NO:4, SEQ ID NO:5, SEQ ID NO:6, SEQ ID NO:7, SEQ ID NO:8, or a combination thereof.

#### Remarks

Reconsideration and withdrawal of the rejections of the claims, in view of the amendments and remarks presented herein, is respectfully requested. Claims 5, 24, 26-28, and 30 have been amended. The pending claims are claims 5-6, 24 and 26-31. The amendments to the claims are intended to clarify Applicant's invention and not intended to limit the scope of equivalents to which any claim element may be entitled.

Amended claims 5, 24 and 26 are supported by originally-filed claims 5 and 7, and by page 16, lines 4-24 and Figure 2 of the specification.

Amended claims 27-28 and 30 are supported by originally-filed claims 5, 7 and 16, and at page 14, line 25 through page 16, line 28 and Figures 1-2 of the specification.